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In re Patent Application of

SQUIRRELL et al.

Atty. Ref.: 1498-130

Serial No. 09/529,722

Group: 1652

Filed: April 19, 2000

Examiner: Steadman

For: METHOD FOR OBTAINING LUCIFERASE FREE OF THERMOSENSITIVE  
ADENYLATE KINASE CATALYTIC ACTIVITY

\* \* \* \* \*

October 2, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**AMENDMENT AFTER FINAL REJECTION**

Responsive to the Official Action dated July 2, 2002, entry and consideration of  
the following amendments and remarks are requested.

**IN THE CLAIMS**

Amend the claims as follows.

Cancel claims 33-46, without prejudice.

Add the following claims.

--47. (New) A method for producing a luciferase protein which is thermostable  
and substantially free of adenylate kinase, the method comprising culturing a host cell  
comprising a first nucleotide sequence which encodes said luciferase protein which  
retains at least partial luciferase activity at temperatures of 37°C, or more, and a second  
nucleotide sequence which encodes a mutant adenylate kinase polypeptide which is